



6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[EPA-HQ-SFUND-2003-0010; FRL-9960-74-Region 7]

**National Oil and Hazardous Substances Pollution Contingency
Plan; National Priorities List: Partial Deletion of the Omaha
Lead Superfund Site**

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: The U. S. Environmental Protection Agency (EPA) Region 7 announces the deletion of 294 residential parcels of the Omaha Lead, Superfund Site (Site) located in Omaha, Nebraska, from the National Priorities List (NPL). The NPL, promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, is an appendix of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). This partial deletion pertains to 294 residential parcels. The remaining parcels of the Site will remain on the NPL and are not being considered for deletion as part of this action. The EPA and the State of Nebraska, through the Nebraska Department of Environmental Quality, determined that all appropriate Response actions under CERCLA

were completed at the identified parcels. However, this deletion does not preclude future actions under Superfund.

DATES: This action is effective **[INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: EPA has established a docket for this action under Docket Identification No. EPA-HQ-SFUND-2003-0010. All documents in the docket are listed on the <http://www.regulations.gov> Web site. Although listed in the index, some information is not publicly available, i.e., Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through <http://www.regulations.gov> or in hard copy at the site information repositories. Locations, contacts, phone numbers and viewing hours of the Site information repositories are:

- EPA Region 7, 11201 Renner Boulevard, Lenexa, Kansas 66219, open from 8 a.m. to 4 p.m. Monday - Friday.
- W. Dale Clark Library, located at 215 S. 15th Street, Omaha, NE 68102, open 10 a.m. to 8 p.m. Monday - Thursday; 10 a.m. to 6 p.m. Friday and Saturday; and 1 p.m. to 6 p.m. Sunday.

FOR FURTHER INFORMATION CONTACT: Don Bahnke, Remedial Project Manager, U.S. Environmental Protection Agency, Region 7, SUPR/LMSE, 11201 Renner Boulevard, Lenexa, KS 66219, telephone (913) 551-7747, email: bahnke.donald@epa.gov.

SUPPLEMENTARY INFORMATION: The portion of the site to be deleted from the NPL are 294 residential parcels of the Omaha Lead Superfund site, Omaha, Nebraska. A Notice of Intent of Partial Deletion for this Site was published in the **Federal Register** (81 FR 65315) on September 22, 2016.

The closing date for comments on the Notice of Intent for Partial Deletion was October 24, 2016. Two public comments were received. One comment was supportive of this action, and the other appears to be a misunderstanding of the current status of the Site. Neither comment is a significant adverse comment and the docket already contains information concerning the current status of the site. The EPA took steps to minimize lead contaminated particulates being released during the remediation of the yards. The site has already undergone remediation and the source of the contamination has been addressed. And with no adverse comments, the EPA still believes that the partial deletion action is appropriate.

EPA maintains the NPL as the list of sites that appear to present a significant risk to public health, welfare, or the environment. Deletion of a site from the NPL does not preclude

further remedial action. Whenever there is a significant release from a site deleted from the NPL, the deleted site may be restored to the NPL without application of the hazard ranking system. Deletion of portions of a site from the NPL does not affect responsible party liability, in the unlikely event that future conditions warrant further actions.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous waste, Hazardous substances, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601-9657; E.O. 12777, 56 FR 54757, 3 CFR 1991 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR 1987 Comp., p. 193.

Dated: March 20, 2017.

Edward H. Chu,
Acting Regional Administrator,
Region 7.